



IN THE
UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT
U.S. COURTHOUSE, ROOM 5523
WASHINGTON, D.C. 20001

NO. 15-3015

Rodney Class
Grantor-Creator, Petitioner

Vs

UNITED STATES OF AMERICA
TRUSTEE, APPELLEE

4/10
**CERTIFICATE OF NOTICE OF WILLFUL FAILURE TO COMPLY WITH
*STARE DECISIS***

The House approved the amendment 241 to 181, with 20 democratic yea votes, and subsequently passed the amended underlying appropriations bill **HR 5016** – which includes the District of Columbia's budget – with a 228-195 vote.

HR 5016, Sec. 922 Prohibits the District of Columbia from using funds provided in this Act to enforce various local laws related to firearms.

Now Comes the Agent, Rodney Dale Class, Grantor, Creator "BY Right Of Birth," for the name of [RODNEY CLASS] to set forth this **CERTIFICATE OF NOTICE OF WILLFUL FAILURE TO COMPLY WITH STARE DECISIS.**

Below are your Local Rules and Customs which the UNITED STATES ATTORNEY'S OFFICE has willfully failed to come into compliance with, as they have not responded to the Appeals brief filed by the Grantor-Creator, Petitioner in the Circuit Court of Appeals on March 10, 2015 (EXPRESS MAIL # EI 835714622 US March 10, 2015 **Delivered 11:47 am**) AND FILED INTO THE UNITED STATES ATTORNEY'S OFFICE (CERTIFIED MAIL # 7014 1200 0000 3436 0924 March 16, 2015 **Delivered 4:31 am**).

LOCAL RULES AND CUSTOMS

FRAP 4: For civil cases, notice must be filed in district court within 30 days after entry of judgment (60 days if federal government a party), or within 14 days after filing of a timely notice of appeal by any other party. For criminal cases, defendant's notice must be filed in district court within 14 days after entry of judgment or within 14 days after filing of a timely appeal by the government; the government's notice of appeal must be filed within 30 days after entry of judgment or within 30 days after filing of a timely appeal by the defendant. See the rule for extensions based on post-judgment filings.

FRAP 24: If leave to proceed in forma pauperis has not been granted by the district court, an application to proceed in forma pauperis on appeal must be filed in the court of appeals within the 15-day period set by the court's fee notice or within the subsequent 15-day period set by the court's Local Rule 45 notice.

FRAP 10(b): Appellant must order any necessary transcript within 14 days of filing the appeal. The transcript order form, and CJA 24 voucher if transcript costs are to be paid under the Criminal Justice Act, must be transmitted to the court reporter and the district court, and attached to the docketing statement filed in the court of appeals. If appellee believes additional portions of the transcript are needed, appellee must file and serve on appellant a designation of additional parts to be ordered within 14 days after service of the transcript order form. Unless appellant orders the additional parts within 14 days after service of the designation, the appellee may, within the following 14 days, either order the parts or move in the district court for an order requiring the appellant to do so.

Loc R 31(a): In criminal cross-appeals, appellant's response/reply brief must be filed within **21 days** after service of appellee's opening/response brief.

Loc R 31(a): In criminal cases, the reply brief must be filed within 10 days after service of the response brief or the response/reply brief.

HR 5016

Title IV: District of Columbia - District of Columbia Appropriations Act, 2015 -
Makes appropriations to the District of Columbia for FY2015, including amounts for the federal payments: (1) for District of Columbia resident tuition support, (2) for emergency planning and security costs in the District, (3) to District of Columbia Courts, (4) for Defender Services in District of Columbia Courts, (5) to the Court Services and Offender Supervision Agency for the District of Columbia, (6) to the District of Columbia Public Defender Service, (7) to the Criminal Justice Coordinating Council, (8) to the Commission on Judicial Disabilities and Tenure and the Judicial Nomination

Commission, (9) for school improvement, (10) for the D.C. National Guard, and (11) for testing and treatment of HIV/AIDS.

Provides local funds for the operation of the District of Columbia out of the General Fund of the District of Columbia as set forth in the FY2015 Budget Request Act of 2014 submitted to Congress by the District of Columbia.

Title VIII: General Provisions (District of Columbia) - Sets forth authorized or prohibited uses of funds appropriated by this Act for the District of Columbia.

(Sec. 801) Appropriates funds for refunding overpayments of taxes collected and for paying settlements and judgments against the District of Columbia government.

(Sec. 802) Prohibits the use of federal funds provided in this Act for publicity or propaganda purposes or implementation of any policy including boycott designed to support or defeat legislation pending before Congress or any state legislature.

(Sec. 806) Prohibits the use of federal funds contained in this Act by the District of Columbia Attorney General or any other officer or entity of the District government to provide assistance for any petition drive or civil action which seeks to require Congress to provide for voting representation in Congress for the District.

Declares that nothing in this section bars the District of Columbia Attorney General from reviewing or commenting on briefs in private lawsuits, or from consulting with officials of the District government regarding such lawsuits.

(Sec. 807) Bars the use of federal funds contained in this Act for any program of distributing sterile needles or syringes for the hypodermic injection of any illegal drug.

(Sec. 808) Provides that nothing in this Act may be construed to prevent the Council or the Mayor from addressing the issue of the provision of contraceptive coverage by health

insurance plans. Expresses the intent of Congress that any legislation enacted on such issue should include a "conscience clause" which provides exceptions for religious beliefs and moral convictions.

(Sec. 809) Prohibits the use of federal funds contained in this Act to legalize or otherwise reduce penalties associated with the possession, use, or distribution of any schedule I substance under the Controlled Substances Act or any tetrahydrocannabinols (THC) derivative.

Prohibits the use of federal funds to legalize or reduce penalties associated with possession, use, or distribution of any schedule I substance under the Controlled Substance Act or any tetrahydrocannabinols derivative for recreational use.

(Sec. 810) Prohibits the expenditure of funds appropriated under this Act for abortions except where the mother's life would be endangered if the fetus were carried to term, or in cases of rape or incest.

(Sec. 816) Appropriates local funds to the District of Columbia during FY2016 if there is no continuing resolution or regular appropriation for the District of Columbia in effect.

(Sec. 922) Prohibits the District of Columbia from using funds provided in this Act to enforce various local laws related to firearms.

GROUND FOR THE OVERTURN OF ORIGINAL CHARGES

Because of this new turn of events with Congressman Thomas Massie's new House Bill 5016 to defund the District of Columbia for failure to uphold the 2nd Amendment on the right to carry,

And,

As Judge Frederick J. Scullin, Jr. declared the DC law and DC code unconstitutional as it violated the Second Amendment,

And,

Whereas the UNITED STATES ATTORNEY'S OFFICE was aware that the District of Columbia's Code was declared unconstitutional from its creation through previous decisions in the Supreme Court of the United States, et al.,

And,

Whereas the District of Columbia's Law Enforcement was in violation of the 2nd Amendment, the right to possess and have readily available and right carry, as their code has been declared unconstitutional,

And,

Now that it's been validated that the UNITED STATES ATTORNEY'S OFFICE lacks standing to bring any claim or to rebut or dispute any appeal made by this party.

This Appeal NOW has two main valid issues: One, that Congressman Thomas Massie successfully passed legislation to defund the District of Columbia for its failure to protect the Second Amendment right,

And,

Two, that the United States Supreme Court and the federal court by and through Judge Frederick J. Scullin, Jr., have both declared that the DC law has been declared unconstitutional as it violated the Second Amendment right and that Judge Frederick J. Scullin, Jr. found that the City of the District of Columbia was in contempt because of its violation of the 2nd Amendment.

This, thereby, denies the UNITED STATES ATTORNEY'S OFFICE a defense to rebut this party's Appeal brief in this court action.

The United States Code is very clear that All Properties have to be posted with Warning Signs notifying users of such restrictions and the prohibition of such firearms on the premises.

This turn of events as of April 1st 2015 has validated this party's filing of the **unconstitutionality** of the law in the UNITED STATES DISTRICT COURT and the misconduct of the UNITED STATES ATTORNEY'S OFFICE and the Public Defenders Office for willful failure to comply with the Constitution and *stare decisis*.

MOOT POINTS IN THIS CASE

Whereas the Transcripts, docket sheets were formally requested and that a response was a requirement from the UNITED STATES ATTORNEY'S OFFICE, and, whereas, that the District of Columbia's Attorney General's Office and the City Council have both conceded to now uphold the People's 2nd Amendments rights, the request now becomes a moot point. The UNITED STATES CIRCUIT COURT OF APPEALS is now legally and ethically required to **OVERTURN All Charges and Actions** connected to **Case No. 1:13 cr 253 RWR/RBR** and this party is to "be made whole as from the beginning."

THE "TO BE MADE WHOLE" REMEDY DEFINITIONS

1. Return of All Personal Property illegally taken from the Agent for RODNEY CLASS including signatures, photos, pictures, blood, DNA, and fingerprints. The return of the

Birth certificate and any and all monies take from the private account associated with the party's Birth Certificate and the expungement of any and all records from the Public Record regarding **Case No. 1:13 cr 253 RWR/RBR AND the Superior Court case (*Case No. 2013 CF2 009225, Administrative Law Judge, NASH, STUART G.*) which preceded Case No. 1:13 cr 253 RWR/RBR !**

2. Return of ALL property held by the Capitol Hill Police used as evidence in **Case No. 1:13 cr 253 RWR/RBR.**

3. Attorney's fees and damages to the reputation of this party by slander, defamation of character, personal injury under peonage, mental stress, personal damages and stress on family members, costs and expenses of traveling from North Carolina to the District of Columbia, expense of being chauffeured from Front Royal, VA to the District of Columbia and back as that party providing the transportation took time off from his job to drive as the Agent for RODNEY CLASS was banned from driving into the District of Columbia, AND the expenses incurred by this party because of the Capitol Police shoddy handling of the towing of the party's Jeep resulting in **the need for a new transmission** and damages to the paint on the Jeep !

4. And, whereas this Agent, Rodney Dale Class, for the Defendant, RODNEY CLASS, was required to WEAR a GPS tracker and forced to PAY for such device and that this action violated rules against peonage under Federal Regulations, damages should also be paid to this party.

5. And, whereas, these **fraudulent** and **unlawful** charges has caused damages and extreme hardship to my marriage and to the relationship between myself and my wife which is almost beyond repair !



CONCLUSION

The Heller Vs District of Columbia, 554 U.S. 570 (2008) decision overturned the District of Columbia's gun ban in 2008.

Judge Frederick J. Scullin, Jr.'s ruling in July of 2014 again upheld that the District of Columbia gun ban was unconstitutional.

Congressman Thomas Massie (4th District of Kentucky) with his new legislation (**HR 5016, Sec. 922**) has made the issue that the District of Columbia Atty. Gen.'s office, the City council, And the United States Attorney's office have **ALL** been in violation of the Second Amendment rights as written in the Constitution.

This Circuit Appeals Court has no choice but to come into compliance with the 2nd Amendment of the Bill of Rights and Article IV, sections 1 and 2 of the Constitution regarding full faith and credit as it applies in this party's case.

To delay any decision in this party's action, **15-3015**, would violate the "Interests of Justice" of this Agent (Rodney Dale Class) who is being held accountable for RODNEY CLASS, and of the People of the United States of America.



CERTIFICATE OF NOTICE

Let this serve as a "Certificate of Notice" to the CLERK OF COURT AND/ OR
COURT REPORTER that on this date, April 10, 2015, AD in the year of our Lord, and
that this filing, **CERTIFICATE OF NOTICE OF WILLFUL FAILURE TO**
COMPLY WITH STARE DECISIS, is to be placed on the record and is to be recorded
in the Clerk of Courts Office for the Appeals Court of United States district court.

Trustees

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